IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.527 OF 2006
IN
CRIMINAL APPEAL NO.484 OF 2006

Vishal Tulshidas Jedhiya, .. Applicant
Vs
The State of Maharashtra .. Respondent

None for the applicant.
Ms M.M.Deshmukh, APP for the respondent.

CORAM : D.B.BHOSALE, J.
DATED : 5th JUNE, 2006

P.C.:
1. None appears for the applicant. Heard the learned APP for the respondent.

2. The applicant has been convicted for the offence punishable under section 376 of IPC and sentenced to suffer R.I for seven years. He has also been convicted under section 366-A of IPC and sentenced to suffer R.I for three years. I perused the judgment and other material placed before me. It is clear from the material on record that the medical evidence and in particular the certificate issued by the doctor Patil-PW 3 vide Exhibit-23 clearly supports the allegation of rape. The evidence of the mother of the prosecutrix -PW 6 and of the medical officer -PW 3 clearly establish that the prosecutrix was minor on the date of the incident. This material and the testimonies of other witnesses which clearly support the prosecution case, in my opinion, is sufficient to

reject the prayer for bail at this stage. The application for bail is accordingly rejected. However, looking to the age of the applicant who was hardly 21 years old on the date of occurrence, if the appeal is not heard on merits within eighteen months from today, liberty to the applicant to apply for bail afresh thereafter. Hearing of the appeal is expedited.

(D.B.BHOSALE,J.)